



Woking Borough Council

COMPLAINTS PROCEDURE

Introduction

Woking Borough Council seeks to provide high quality and value for money services to its customers. However, as with any complex organisation, sometimes things can go wrong. If this happens the Council will try to put things right and rectify any mistakes.

A complaint is an expression of dissatisfaction. It might relate to:

- a failure to deliver a service
- a delay in providing a service
- a poor quality of service
- a failure of staff to comply with Council policies
- the conduct or behaviour of a member of staff

Not everything is considered to be a complaint. For example, a first time request for a service, or a request for information, or an explanation of a Council policy. Similarly, if you simply disagree with a decision made by the Council it does not constitute a complaint.

This complaints procedure will not apply to correspondence received in respect of applications for planning permission and the merits of the application. These will be treated as objections to the planning permission in question.

This complaints procedure will not apply to matters that have their own appeals and/or adjudication processes. In these instances you will be advised how to take your complaint further.

The Council expects complaints to be made in a timely manner and will not, except in exceptional circumstances, consider complaints in respect of a matter that is over six months old.

Making a Complaint

Formal complaints must be made in writing. This is to ensure that we understand what you are complaining about and what you would like us to do to put the matter right.

Please use one of the following methods to contact us:

- email comments@woking.gov.uk
- send a fax to 01483 768746
- write a letter to: COMPLAINT
Woking Borough Council
Civic Offices
Gloucester Square
Woking
Surrey
GU21 6YL
- complete the eform on our website www.woking.gov.uk
- visit us at the Civic Offices (Monday to Friday, 9am – 4.45pm)

If for any reason you cannot communicate with us in any of the above ways, please tell us and we will provide the help you need.

When we receive your complaint, it will be allocated to a manager within the relevant service area. It will be acknowledged within five working days, and you will be given the investigators name and contact details.

We will try to complete the investigation into your complaint and let you have our answer within a further six weeks. If this is not possible, we will advise you of the date by which you will receive a full reply.

If your complaint relates to a service that is provided by a contractor as opposed to the Council direct, you must go through the contractor's complaints procedure. You will only be able to seek a right of appeal to the Council (as outlined below) if you have first exhausted the relevant contractor's complaints procedure. If you are unclear who the contractor is, please contact the Council and we will advise you further.

If your complaint concerns the Chief Executive, it will be referred to the Monitoring Officer. The Monitoring Officer will decide how your complaint will be dealt with. The Monitoring Officer may investigate the complaint, or appoint a person independent of the Council to carry out an investigation or deal with your complaint as he/she considers appropriate. The decision of the Monitoring Officer will be final, so it is not subject to a right of appeal within the Council.

Right of Appeal

We hope that our investigation will result in a satisfactory resolution of the problem. However, if you have good reasons to believe that your complaint has not been investigated properly, you can appeal for a further review to be undertaken. To do this you must explain your reason fully setting out why you do not consider the previous investigation was carried out properly; you cannot just appeal for the sake of it or because you do not like the result of the previous investigation.

Your appeal must be made within six weeks of the date of our final letter responding to your original complaint. Your appeal for a further review of your complaint shall be passed to the Council's Deputy Monitoring Officer who will review the facts and decide whether or not there are grounds to support a further review of your complaint. If your appeal is unsuccessful, you will be advised within six weeks of its receipt the reasons for this decision.

If your appeal is accepted, a member of our Corporate Management Group who has not previously been involved in the case will undertake a further investigation. This Senior Officer will try to give you a full response within six weeks of receipt, but where more time is required you will be notified. The decision made by the member of the Corporate Management Group will be final.

Freedom of Information/Environmental Information requests

Requests for a review of the way in which we have dealt with a request for information under the Freedom of Information Act 2000 or the Environmental Information Regulations 2014 will be considered by the Data Protection Officer or his nominee or another member of the Corporate Management Group. The review will consist of a thorough re-examination of the original decision and handling of your request for information. We will aim to complete the review within 20 working days. If this is not possible, we will advise you when you can expect to receive a response (which will not be longer than 40 working days from the date that we received your

request for a review). The decision on the review will be final, so it is not subject to a right of appeal within the Council.

You may also ask the Information Commissioner to consider whether we have dealt with your request for information properly. The Information Commissioner will not normally become involved until we have completed our review.

To contact the Information Commissioner:

- write to: Information Commissioners Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
- phone: 0303 123 1113 or 01625 545745
- email: casework@ico.org.uk

Local Government and Social Care Ombudsman and Housing Ombudsman

There will be occasions where we will not be able to resolve your complaint to your satisfaction. If this is the case, you can contact the Local Government and Social Care Ombudsman (LGO) or the Housing Ombudsman (HO) who will consider your complaint and investigate, if appropriate.

The LGO and HO will not normally consider any appeal until a complaint has been through the complaints procedure outlined in this document. It will be in your interest to follow this procedure before taking your complaint to them.

The Local Government and Social Care Ombudsman can be contacted at:

- The Local Government and Social Care Ombudsman
PO Box 4771
Coventry
CV4 0EH
- Tel: 0300 061 0614
- Web: www.lgo.org.uk

The Housing Ombudsman Service can be contacted at:

- The Housing Ombudsman Service
81 Aldwych
London
WC2B 4HN
- Phone: 0300 111 3000
- Web: www.housing-ombudsman.org.uk

Unreasonable Behaviour by a Complainant

Occasionally customers make complaints in an unreasonable way, e.g. repeatedly or aggressively. If this happens we will write to them explaining what action we are

taking to bring the matter to an end. This could include, restricting the form of communication that a complainant can use, limiting contact to a named officer or even ceasing to reply to a customer.

The decision to class a complainant as unreasonable will be made by the Council's Monitoring Officer or a member of the Corporate Management Group. They will write to the complainant to explain the reason for the decision. The Monitoring Officer will record the details in a register and review the decision after six months. The Monitoring Officer will write to the complainant to tell them if they have been removed from the register or if they will remain on it for a further six months, when a further review will be carried out.

Privacy Statement

All correspondence received by the Council is subject to the Freedom of Information and Environmental Information laws and, in certain circumstances, may need to be made public. However, the Council will respect legitimate expectations for confidentiality and keep to the relevant privacy laws.

We will not give your personal details to any third party unless they have a need to know (e.g. if a complaint relates to the actions of a Council contractor, or if the Local Government Ombudsman is investigating).

When dealing with complaints, we also protect the identity of other people who may be involved. This means we may not be able to give you personal information about other people (e.g. witnesses to incidents or other people complaining).